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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JUSTITIA DAO LLC,

11 Plaintiff,

12 v.

13 AMERICAN ARBITRATION
14 ASSOCIATION INC.,

15 Defendant.

CASE NO. C24-1231JLR

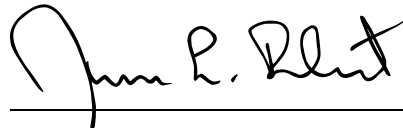
ORDER

16 Before the court is Defendant American Arbitration Association, Inc.’s (“AAA”) response to Plaintiff Justitia DAO LLC’s (“Justitia”) complaint. (Resp. (Dkt. # 12); Compl. (Dkt. # 1).) In its complaint, Justitia alleges that AAA has refused to appoint an arbitrator to determine the arbitrability of its claims against Amazon.com, Inc. and seeks an order compelling AAA to appoint an arbitrator to “determine the arbitrability of Justitia’s Claims as presented in Justitia’s Arbitration Demand.” (See Compl. ¶¶ 49-50.)

1 AAA now protests that Justitia erred by filing a “plenary complaint” rather than a
2 motion for relief as required by the Federal Arbitration Act, 9 U.S.C. § 6. (Resp. at 1-2.)
3 It further asserts that this court lacks subject matter jurisdiction over Justitia’s complaint;
4 that Justitia’s request for relief “fails to comply with AAA’s rules and the applicable
5 filing fee schedule”; and that “AAA is protected from Justi[t]ia’s Complaint pursuant to
6 the doctrine of arbitral immunity.” (*Id.* at 2.)

7 Federal Rule of Civil Procedure 7(b) provides that, in general, “[a] request for a
8 court order must be made by motion.” Fed. R. Civ. P. 7(b)(1). So far, Justitia has filed
9 only a complaint in this action; it has not filed a motion. (*See generally* Dkt.) Thus, the
10 court has no motions pending before it and AAA’s purported response to Justitia’s
11 complaint does not have any legal effect. Therefore, the court STRIKES AAA’s
12 response (Dkt. # 12) without prejudice to AAA filing an answer or motion to dismiss
13 pursuant to Federal Rule of Civil Procedure 12.

14 Dated this 10th day of September, 2024.

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17 JAMES L. ROBART
United States District Judge
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